UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

JUN 09 2004
U.S. DISTRICT COURT
DISTRICT OF RHODE ISLAND

GEORGE GUINDON, et al. **PLAINTIFFS.**	:	
VS.	:	**C.A. NO: 03-335-L**
AMERICAN FOAM CORPORATION, Et al. **DEFENDANTS.**	:	

MOTION TO STAY PRE-TRIAL DISPOSITIVE MOTIONS

Now comes Plaintiff, Sharon Eaton, by and through counsel, and moves that all pre-trial dispositive motions previously filed and currently pending before this court in the within matter be stayed through September 1, 2004, that the filing of any other pre-trial dispositive motions be stayed through September 1, 2004, and, that a briefing schedule be ordered the Court thereafter.

Plaintiff further joins with the motion filed by counsel for the Petitioners in the matters of Judith O'Brien, et al vs. McLaughlin & Moran, et al. M.P. 03-71L and Louis F. Alves, et al vs. McLaughlin & Moran, et al., M.P. No. 03-70L, and the Plaintiff's Steering Committee, requesting a stay of all pre-trial dispositive motional in all pending matters at least until September 1, 2004.

In support of this motion, counsel submits a Memorandum of Law filed herewith.

Denied - no standing;
Ronald R. Lagueux
Sr. USDJ 6/15/04

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Plaintiff,
Sharon Eaton,
By her Attorney

(2553)

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I certify that a copy of the within deposition notice was mailed on the 9 of June, 2004 to the following individuals first class postage prepaid.

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GEORGE GUINDON, et al.
PLAINTIFFS.

VS. **C.A. NO: 03-335-L**

AMERICAN FOAM CORPORATION, Et al.
DEFENDANTS.

PLAINTIFF'S MEMORANDUM IN SUPPORT OF MOTION TO STAY PRE-TRIAL DISPOSITIVE MOTIONS

Now comes Plaintiff, Sharon Eaton, by and through counsel, and files this memorandum. Plaintiff also joins in, and incorporates by reference the position and arguments set forth in the Memorandum in Support of Motion to Stay Pre-Trial Dispositive Motions filed by Steering Committee and counsel for the Petitioners in the matters of Judith O'Brien, et al. vs. McLaughlin & Moran et al., M.P. No. 03-71L and Louis F. Alves, et al. vs. Mclaughlin & Moran et al., M.P. No. 03-70L.

Plaintiff moves that all pre-trial motions previously filed and currently pending before the court in the within matter be stayed through September 1, 2004. Plaintiff further moves that the filing any other pre-trial dispositive motions be stayed through September 1, 2004, and, that a briefing schedule be ordered by the Court thereafter.

ARGUMENT

As this Court observed in its Order entered on March 29, 2004, the Plaintiff's Steering Committee (appointed by the Rhode Island Superior Court) was, at that time, a group of lawyers representing over 180 claimants (not including derivative claims) who have not yet filed suit. The number of claimants is now well in excess of 200.

As stated in the Plaintiff's Steering Committee Memorandum of Law in support of its motion, the granting of a stay would be consistent with the intension of the Court as expressed in its Order:

> It is the intention of the Court to consolidate all the Station fire cases filed in, removed or transferred to this Court for discovery purposes so that discovery can proceed in an orderly and coordinated fashion. To that end, discovery will remain stayed until September 1, 2004 in order to allow all potential plaintiffs an opportunity to bring suit and participate in discovery from the outset.

The court further stated

> There are at least a total of 335 potential plaintiffs who have or may litigate claims arising from the Station nightclub fire. This figure does not include potential derivative claimants (spouses, children, and other dependents of fire victims), as that number of potential plaintiffs is much larger, and indeed, at this point incalculable.

As of today, a very small number of claimants impacted are now before This Court and those now pending are yet to be consolidated for any purpose.

The Plaintiff's Steering Committee intends to commence litigation on behalf o the vast majority of claimants well within the period contemplated by the Court's Order. For reasons of judicial economy and the orderly administration of pending and future cases (including the within matter), Counsel believes all pending and future pre-trial dispositive motions should be stayed to September 1, 2004.

CONCLUSION

Plaintiff respectfully requests this Court grant her motion to stay all pre-trial dispositive motions to September 1, 2004.

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By her Attorney

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